

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PACIFIC SOUND RESOURCES, *et al.*,

Plaintiffs,

v.

THE BURLINGTON NORTHERN AND
SANTA FE RAILWAY COMPANY, *et al.*,

Defendants.

Case No. C04-1654L

ORDER DENYING MOTION FOR
SUMMARY JUDGMENT

This matter comes before the Court on “Pacific Sound Resources’ Motion for Partial Summary Judgment on Arranger Liability Under MTCA” (Dkt. # 52). Pacific Sound Resources (PSR) seeks an order declaring defendant Burlington Northern and Santa Fe Railway Company liable as an arranger of disposal of hazardous substances. RCW 70.105D.040(1)(d). The Court has previously determined that PSR lacks standing to pursue this action. For this reason, IT IS HEREBY ORDERED that PSR’s motion for summary judgment is DENIED.¹

DATED this 6th day of February, 2006.



Robert S. Lasnik
United States District Judge

¹Because the Court finds that this matter can be decided on the parties’ memoranda, declarations, and exhibits, plaintiff’s request for oral argument is denied.

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